IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 5811 of 2007

BALWANT SINGH
V/S
GRAM PANCHAYAT JHADOLI & ORS.

Mr. KIRAN TRIPATHI, for the appellant / petitioner

Date of Order : 26.9.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

By the impugned order the learned trial court has declined to issue commissioner which was prayed for, for the purpose of deciding the stay application in the appeal filed against the decision of the learned trial court deciding application under O. 39 Rule 1 & 2.

In my view, the learned lower Appellate Court was perfectly right in declining to appoint commissioner for this purpose.

The writ petition is, therefore, dismissed.

(N P GUPTA),J.

/sushil/